GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS – M/s. APMDC Ltd. - Grant of Mining Lease for Heavy Mineral Beach Sands over an extent of 1000.000 Ha of Kuppili, Koyyam, Dharmavaram & Bonthalakoduru Villages, Etcherla Mandal, Srikakulam District for a period of 50 years in favour of M/s. APMDC Ltd. - Orders – Issued.

INDUSTRIES & COMMERCE (M.II) DEPARTMENT

G.O.Ms.No.11 Dated:11.01.2017

Read the following:

1. Govt. Memo No. 16558/M.III(1)/2006-2, Dt. 17.01.2007.
2. Lr., No. 4/9/2008-M.IV, Dt. 10.12.2009 of Ministry of Mines, Govt. of India.
3. Gazette Notification No. S.O 27(E), Dt. 04.01.2017 of the Government of India.
4. Lr., No. 7/55/2016-M.IV, Dt. 05.01.2017 of the Ministry of Mines, Government of India.
5. From the DM&G, F. No. 23432/R1-1/2005, dated.11.01.2017.

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O R D E R:

In the reference 1st read above, Government have proposed in principle to grant Mining Lease for Heavy Mineral Beach Sands over an extent of 1000.000 Ha of Kuppili, Koyyam, Dharmavaram & Bonthalakoduru Villages, Etcherla Mandal, Srikakulam District for a period of 30 years in favour of M/s. APMDC Limited, while rejecting the earlier two applications of M/s Bay Minerals (P) Ltd., with prior permission of Government of India under Section 11 (5) of MMDR Act, 1957, subject to obtain necessary clearances from AP Pollution Control Board MoEF, SADA and NOC from the Revenue Department and pattadars consent and hence APMDC was called for for submission of the AMP.

2. In the reference 2nd read above, the Ministry of Mines, Govt. of India have accorded prior approval under Section 5(1) of Mines & Minerals (Development & Regulation) Act, 1957 and in relaxation of section 6(1)(b) of the Act for grant of Mining Lease for Heavy Mineral Beach Sands – Ilmenite, Rutile, Zircon, leucoxene, Monazite, Garnet and Silimanite over an extent of 1000. 000 Ha of Kuppili, Koyyam, Dharmavaram & Bonthalakoduru Villages, Etcherla Mandal, Srikakulam District for a period of 30 years in favour of M/s. APMDC Limited, subject to outcome of the revision application filed against the proposal and also subject to the conditions mentioned therein.

3. In the reference 5th read above, the DM&G, GoAP has reported that M/s. APMDC Ltd., has submitted the Approved Mining Plan, approved by the Regional Controller of Mines, IBM, Ministry of Mines, Govt. of India, vide their Lr.No.AP/SRK/MP/Gar-7-Hyd, Dt.05.01.2017, communicated vide their letter Dt.09.01.2017, with the conditions mentioned therein. But M/s. APMDC has not submitted Environmental Clearance and Forest Clearance to the extent concerned.

4. Keeping in view the Gazette Notification issued in the reference 3rd read above, the DM&G, GoAP has requested the Government to grant a Mining Lease for Heavy Minerals Beach Sand over an extent of 1000.000 Ha of Kuppili, Koyyam, Dharmavaram & Bonthalakoduru Villages, Etcherla Mandal, Srikakulam District for a period of 50 years in favour of M/s. APMDC Limited, which is a State Public Sector Undertaking and having experience in Mining activity, subject to submission of clearance from the Forest Department under Section 2 of FC Act, 1980, before entering into the lands.

5. In the reference 3rd read above, the Government of India have issued Mines and Minerals (Development and Regulation) Removal of Difficulties Order, 2017, whereby it is clarified that *where the condition of obtaining environmental clearance has not been complied with by the applicant on or before 11th January, 2017, but all other conditions specified in previous approval or the letter of intent have been fulfilled, the applications shall be considered under that section and mining lease shall be granted by the concerned State Governments in accordance with the notifications issued under the Environment (Protection) Act 1986) (29 of 1986). Provided that no mining activity shall commence unless and until the applicant obtains environmental clearance as laid down under the Environment (Protection) Act, 1986 and the rules made there under.*

6. The Government of India, vide reference 4th read above, have stated that the Ministry of Tribal Affairs has concurred to enable the grant of lease in the cases saved under section 10A(2)(c) of the MMDR Act, by specifying certain conditions to be incorporated in the lease deed, to address their concerns for safeguarding forest rights.

7. The Govt. of India, vide their Lr., No. 7/1/2016-M.IV, dt. 05.01.2017 has stated that regarding the cases pending for FC, MoEF&CC, vide their guidelines No.11-85/2016-FC, dated 30th Nov, 2016, the Ministry of Environment, Forest & Climate Change (MoEF&CC), has agreed to grant the Forest Clearance (FC) under section 2(iii) of Forest Conservation Act (FCA), 1980 in the eligible cases so that the project proponents can get the grant of lease without waiting for FC Stage-(I) and (II) as required under section 2(ii) of FCA, while mandating that the mining activity could commence only after obtaining FC under section 2(ii) of FCA for diversion of the forest land.

8. M/s. APMDC Ltd is a State owned Public Sector Undertaking is having vast experience in eco-friendly mining and committed to optimum utilization and conservation of mineral resources, employment generation, development of society through corporate social responsibility which includes welfare activities like Health, Education, Drinking Water, Sanitation etc., local area development and other social activities.

9. The Government, after careful examination of the matter, hereby grant Mining Lease for Heavy Mineral Beach Sands over an extent of 1000.000 Ha in Sy. No. 505 of Kuppili, Sy. No. 351,352,410 to 415, 421 to 445, 450, 458, 500 of Koyyam, Sy. No. 530,532,533,540, 547,548, 549, 550,551,552, 554, 555,556 and 557 of Dharmavaram, Sy. No. 150, 127, 225, 226, 257, 279, 278, 276, 275 and 272 of Bonthalakoduru Villages located in Etcherla Mandal, Srikakulam District for a period of 50 years in favour of M/s. APMDC Limited, which is State Public Undertaking as per sub-section (2) of section 8A of MM(D&R) Amendment Act 2015 subject to submission of clearance from the Forest Department under Section 2 of Forest Conservation Act, 1980 before entering into the lands and mining activity could commence only after obtaining Forest Clearance under section 2(ii) of FCA for diversion of the forest land and Environmental Clearance from MoEFCC subject to certain conditions to be incorporated in the lease deed, as laid down in the reference 4th read above.

10. The rates of royalty, dead rent, surface rent and water charges shall be collectable as per applicable rates prevailing now and as amended by the Government from time to time.

11. The grantee should execute the lease deed within the time limit specified under MMDR (Amendment) Act, 2015.

12. The grantee should obtain CFE and CFO before starting Mining operations.

13. The grantee should pay necessary deposit of amount as prescribed under the existing rules before the lease is actually executed.

14. The terms and conditions referred above are subject to such further modifications, additions and alterations as may be ordered before the lease deed is executed.

15. The Director of Mines and Geology, Andhra Pradesh, Vijayawada shall take necessary further action for the execution of the lease deed after satisfying himself that the grantee fulfils all the required provisions of the amended Act and Rules. As soon as the deed is executed, the date of such execution should be reported to the Government.

Note: The grant is liable for cancellation, should it be found at a later date that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH

B.SREEDHAR
SECRETARY TO GOVERNMENT (MINES)

To
M/s APMDC Ltd., Hyderabad (By RPAD)
The Director of Mines & Geology, Vijayawada (with file No.23432/R1-1/2005 AMP in original)

Copy to:
The Asst. Director of Mines and Geology, Srikakulam.
The District Collector, Srikakulam District.
The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan, New Delhi-110 001
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur – 440 001.
The Director General, Mines Safety, Dhanbad, Jarkhand.
The Regional Controller of Mines, IBM, Kavadiguda, Secunderabad.
SF/SC (C.No.239/M.II(1)/2017)

//FORWARDED: BY ORDER//

SECTION OFFICER